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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/500,992	01/10/2005	Gergely Molnar	P15199-US1	1831
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ERICSSON INC. 6300 LEGACY DRIVE M/S EVR 1-C-11 PLANO, TX 75024				
EXAMINER				
ANWARI, MACEEH				
ART UNIT		PAPER NUMBER		
2444				
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01/09/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/500,992

Applicant(s)

MOLNAR, GERGELY

Examiner

MACEEH ANWARI

Art Unit

2444

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 12-21 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 12-21 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SE/US)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

1. This action is in response to communications file on 10/08/2008. Accordingly, **claim(s) 12-21** are pending.

Response to Arguments

2. Applicant's arguments filed 10/08/2008 have been fully considered but they are not persuasive. In substance, the applicant argues that neither **Schroder** nor **Hanselmann** disclose or teach: 1) "finding a configuration sequence of target routers associated with said target objects that provides continuous connectivity to said management centre".
3. In response to 1), the examiner respectfully disagrees. **Schroder-Hanselmann** discloses, the use of multiple routers within a network (i.e. LAN) and the potential problems (i.e. failures, rebooting, power outages etc.) that accompany them (**Hanselmann: Col. 1 lines 10-28**). **Schroder-Hanselmann** further discloses the use of various protocols (i.e. IRDP and RIP) to allow a host the ability to choose a router from a group of routers (dynamically) within a network (**Hanselmann: Col. 1 lines 29-37**). **Schroder-Hanselmann** also discloses the use of HSRP from a host on a LAN through a virtual router (whereby the virtual router may be any physical router elected from among a group of routers connected to the LAN); where packets are automatically forwarded to the "standby" (secondary) router if the "active" (initial) router fails (**Hanselmann: Col. 1 line 63- Col. 2 line 19**). Therefore, **Schroder-Hanselmann** disclose "finding a configuration sequence of target routers (i.e. the virtual router made up of multiple routers) associated with said target objects that provides continuous

connectivity to said management centre (i.e. HSRP whereby the secondary router automatically begins emulating the virtual router in case the initial router fails—in other words provides continuous connectivity from source to destination);” (**Hanselmann: Col. 1 line 63- Col. 2 line 19**).

4. Applicant has had an opportunity to amend the claimed subject matter, and has failed to modify the claim language to distinguish over the prior art of record by clarifying or substantially narrowing the claim language. Thus, Applicant apparently intends that a broad interpretation be given to the claims and the Examiner has adopted such in the present and previous Office action rejections. See *In re Prater and Wei*, 162 USPQ 541 (CCPA 1969), and MPEP 2111.

5. Applicant employs broad language, which includes the use of word, and phrases, which have broad meanings in the art. In addition, Applicant has not argued any narrower interpretation of the claim language, nor amended the claims significantly enough to construe a narrower meaning to the limitations. As the claims breadth allows multiple interpretations and meanings, which are broader than Applicant's disclosure, the Examiner is forced to interpret the claim limitations as broadly and as reasonably possible, in determining patentability of the disclosed invention. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir.1993).

6. Failure for Applicant to significantly narrow definition/scope of the claims and supply arguments commensurate in scope with the claims implies the Applicant intends broad interpretation be given to the claims. The Examiner has interpreted the claims

with scope parallel to the Applicant in the response, and reiterates the need for the Applicant to more clearly and distinctly defines the claimed invention.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. **Claims 12- 21** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Schroder et al.** (hereinafter **Schroder**) U.S. Patent No.: 7,107,329 B1 and further in view of **Hanselmann** U.S. Patent No.: 7,116,634 B1.

Regarding **claim 12**, **Schroder** discloses a method for managing configuration of a network in a management centre, said network having a plurality of target objects (Col. 1 lines 10-17; interconnected nodes), said method comprising: elaborating a model of the network to be managed (Figure 1-7 and Col. 3 lines 66- 13; system state information, open connections and processing tables); identifying a plurality of target objects to be configured in the network (Figures 1- 7 Col. 3 lines 66- 13; interconnected nodes and routers); validating the changes to be made upon configuration of said plurality of target objects (Figure 3 Col. 4 lines 23-30; new software taking over for old); and configuring each of said target routers (Figures 3 & 7 and Col. 4 lines 14-30 & Col. 5 lines 2-6 & 14-16).

However, **Schroder** remains silent on the specific teachings of finding a configuration sequence of target routers associated with said target objects that provides continuous connectivity to said management centre.

In the same field of endeavor, **Hanselmann** discloses finding a configuration sequence of target routers associated with said target objects that provides continuous connectivity to said management centre (Figures 1- 4 and Abstract; active and standby routers and host/server).

Accordingly it would have been obvious for one of ordinary skill in the networking art to modify or incorporate **Hanselmann's** teachings of continuous transmission of data between router and host with the teachings of **Schroder** to provide for a more reliable connection between router and host during transmission.

Regarding **claim 13**, **Schroder-Hanselmann** further discloses wherein said model is based on the CIM (Common Information Model) schema (Schroder- Figures 3-4 & 6-7 and Col. 2 lines 42-47 & Col. 4 lines 11-13; SNMP/MIB read on this limitation).

One of ordinary skill in the art would modify the teachings of **Schroder** with **Hanselmann** for the same reasons indicated in **claim 12**.

Regarding **claim 14**, **Schroder-Hanselmann** further discloses wherein said identification step includes identifying direct target objects and indirect target objects (Schroder- Figure 7 and Col. 5 lines 37-38; reads on this limitation with listener and direct connections).

One of ordinary skill in the art would modify the teachings of **Schroder** with **Hanselmann** for the same reasons indicated in **claim 12**.

Regarding **claim 15, Schroder-Hanselmann** further discloses wherein said validation step includes checking the compliance of the changes to be made upon configuration with a predetermined set of rules (Schroder- Figures 1A-2 and Col. 4 lines 11-13; SNMP/MIB, BGP and routing tables read on this limitation).

One of ordinary skill in the art would modify the teachings of **Schroder** with **Hanselmann** for the same reasons indicated in **claim 12**.

Regarding **claim 16, Schroder-Hanselmann** further discloses wherein said network is an IP based mobile access network (Schroder- Col. 1 lines 10-16 & lines 59-60 & Col. 4 lines 43-45 Col. 5 lines 7-10; reads on this limitation with TCP/IP).

One of ordinary skill in the art would modify the teachings of **Schroder** with **Hanselmann** for the same reasons indicated in **claim 12**.

Claims 17-21 list all the same elements as **claims 12-16**, therefore the rejections and rationale used for **claims 12-16** apply equally as well to **claims 17-21**.

Examiner Note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention, as well as the context of the passage as taught by the prior art or disclosed by the examiner.

Conclusion

9. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MACEEH ANWARI whose telephone number is (571)272-7591. The examiner can normally be reached on Monday-Friday 7:30-5:00 PM ES.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

M.A.
/William C. Vaughn, Jr./
Supervisory Patent Examiner, Art Unit 2444